

SENATE—Friday, December 15, 2000*(Legislative day of Friday, September 22, 2000)*

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God of peace, fill our minds and flood our hearts with Your peace. May we hear Your message: "Peace on earth, good will to all people" above the discordant voices of these turbulent times. Give us Your peace that calms our nerves, conditions our thinking, and clears our vision. Your peace is the serenity of heaven provided for the loved and forgiven. It is the assurance that we will receive all that we need to meet the challenges of this day. Your peace comes to us when we commit our responsibilities to You and then work with Your guidance and grace.

Help the Senators to be peacemakers as they finish the work of this 106th Congress. Bear on their hearts and minds the words of Thomas Jefferson after the contentious election of 1800: "The greatest good we can do our country is to heal its party divisions and make them one people." So we all dedicate ourselves to be peacemakers as You continue to heal our land. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. L. CHAFEE). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for up to 10 minutes each, and with time to be equally divided in the usual form.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The able acting majority leader is recognized.

PRAISE FOR THE CHAPLAIN

Mr. WARNER. Mr. President, I say with gratitude that we have such a marvelous Chaplain, one who with great skill and such strength of feeling and emotion is able to deliver the message of prayer and incorporate those historic moments of history.

That election of Thomas Jefferson was one, fortunately, we avoided this time around; for Congress was involved, as our distinguished Chaplain and others know, and the vote in Congress was razor thin.

SCHEDULE

Mr. WARNER. Mr. President, as the Chair has advised, the Senate will be in a period of morning business today while awaiting the final appropriations bill from the House. The Senate was expected to consider the final package shortly after noon today. However, the vote is now expected to occur sometime later this afternoon. Senators will be updated throughout the day on the voting schedule.

Following the vote, the Senate is expected to complete its business to wrap up the 106th Congress. On behalf of the distinguished majority leader and the Democratic leader, we thank our colleagues for their patience and cooperation.

SENATOR CHARLES S. ROBB

Mr. WARNER. Mr. President, Virginia has had a long history of distinguished citizens of our great Commonwealth who come forward to serve Virginia. Among them in this long line of distinguished individuals will be CHARLES S. ROBB.

We started our careers together when he served in the Marine Corps. That was back during the period of Vietnam. I was then serving—for over 5 years—as Under Secretary and Secretary of the Navy. I was privileged, of course, to serve with the Presiding Officer's father, Senator Chafee. At the time he was Secretary of the Navy; I served as his Under Secretary.

Senator ROBB had served his tour in Vietnam in 1961 through 1970 and then he remained in the Marine Corps Reserves from 1970 to 1991. I was privileged to wear the marine green during the Korean conflict and served for a very brief period in the Marines. However, I assure Members that the career of Senator ROBB was far more distinguished than the career of the senior

Senator, myself. I am pleased to acknowledge that. He then went on to serve as Lieutenant Governor from 1977 to 1981, and Governor from 1982 to 1986.

His two terms in the Senate began in 1988. He has been a Member of the Senate Armed Services Committee, a committee which I have been privileged to chair since 1993. Throughout this distinguished record, it has been my good fortune to share a very warm friendship with the Senator and with his lovely wife and his children. We all know when we take the oath of office as U.S. Senator, the family plays the key role. I could not count the number of times I have been in matters relating to the Senate, trips relating to the Senate, our frequent joint appearances throughout the Commonwealth of Virginia these many years, beginning back when he was Lieutenant Governor, and there was Mrs. Robb, a daughter of a most distinguished American public servant, former President Lyndon Johnson and a former Member of the Senate.

So I wish him well. It was a difficult task in this past election. He respects both of us as marines. We have duties to perform. I hope the RECORD reflects that I performed that responsibility I felt very sincerely was necessary, but I did it in a spirit that preserved our friendship.

When I think back on his work, I think of the many times Senator ROBB came from that side of the aisle to this side of the aisle to join others in working on pieces of legislation which he felt, and indeed others felt, were in the best interests of this country. He was a bridgebuilder. He served that purpose on the Senate Armed Services Committee. He stood by my side as chairman these past 2 years, supported me, I think, almost in every instance. And he had very keen insight into the life of the men and women of the Armed Forces who serve today. He worked very hard on their behalf.

I hope history will reflect that his contributions directly benefited those who serve today and who will serve tomorrow. He also was quite active in working with me on the retirement benefits, particularly the medical benefits, for those who have served in years past.

Virginia is privileged to have one of the greatest shipyards—we like to think the greatest shipyard—in America. We have the naval shipyard as well as private shipyards. In those yards are built some of the finest ships that sail the seven seas today on behalf of our

Navy. Senator ROBB was always there to work with not only me but a strong bipartisan Virginia congressional delegation, Senate and House, on matters of national defense since our State is privileged to be preeminent in the field of national defense, having a number of the major bases and a number of men and women in uniform who are stationed there. Of course, the Pentagon is the core of this complex throughout Virginia. But there was Senator ROBB on all occasions, and particularly as it related to our naval shipbuilding program.

I am joined on the floor today by two very able members of my staff. Ann Loomis is the chief of our legislative staff; Susan Magill, with whom I consulted early this morning in preparing these remarks, is my chief of staff. They would want it known that, through the years, the staff working relationship between Senator ROBB's office and my office was always excellent. We looked upon our duties as serving the Commonwealth of Virginia and the people of that State; therefore, our staffs did everything they could to prepare the two Senators to meet that challenge and that responsibility.

He is a man of principle. I think that is unquestioned by those of us who watched him. Indeed, at times we differed on very fundamental policy issues, and that is reflected in our voting records. But he was always a man of principle and he stood by those principles. As I listened to him, my reaction sometimes bordered on disbelief because I so disagreed with him, but he stood by those principles no matter what the cost to his professional career as a public servant. He stood by what he believed.

So I say to my good friend, I shall remember him in many ways but above all for his friendship and his always senatorial courtesy. As we laugh around here and joke: The title senior Senator and perhaps a dollar or so will get you a cup of coffee. But he never tried one-upmanship and he always addressed me as his senior in the Senate. I thank him. I wish him and his family well in their next career. I am confident there are many challenges that await this distinguished American public servant.

I note my distinguished friend from Pennsylvania is on the floor. I yield the floor at this time, and I thank the Chair for his indulgence.

The PRESIDING OFFICER. The Senator from Pennsylvania.

SENATOR ROBB

Mr. SPECTER. Mr. President, I commend my distinguished colleague from Virginia for those fine remarks about Senator ROBB. I associate myself with Senator WARNER on his best wishes to Senator ROBB, acknowledging his very distinguished service in the Senate for

12 years. I might add, his distinguished wife, Lynda Johnson Robb, was a regular at the Old Testament Bible class conducted in my office over the past decade, presided over by a very distinguished Biblical scholar, Naomi Rosenblatt. But CHUCK and Lynda Robb will still be around and we will have the benefit of their company, although his Senate career, at least, is over at the moment.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

Mr. SPECTER. Mr. President, I have sought recognition to comment about the pending appropriations bill on Labor, Health and Human Services, and Education, which comes from the appropriations subcommittee which I chair. There has been an extraordinarily rocky road for this bill this year. I think it is very regrettable that on December 15 we are still debating that bill and the entire package is as yet unsettled, although hopefully it will be resolved before the end of the day. But there have been many days when we have been hopeful about resolving matters before the end of the day and that has not occurred.

Without going into the background on prior years, it has been a very difficult matter to get the bill on Labor, Health and Human Services, and Education to the President for signature and to resolve the controversies. This year, my ranking member on the subcommittee, Senator TOM HARKIN, and I have worked as partners on this matter. When he chaired the subcommittee, I was ranking, or when I have chaired the subcommittee, he has been ranking. Both of us understand—and have for a long time—that if you want to get something done in Washington, you have to cross party lines. That is more true today than ever. It will be even more true in the 107th Congress when we have a 50-50 split.

But we brought that bill to conclusion on the Senate vote on June 30 of this year, which tied the record going back to 1976. We completed a conference report on July 27, the last Thursday before we adjourned for the Republican convention and the August recess. We did that with a lot of extra effort, hard work by our staffs led by Bettilou Taylor on my staff, so we could get the bill to the President right after Labor Day. There is no use sending it in August, but we were prepared to submit it to the President the day after Labor Day.

We had met the President's figure of \$106 billion, which was a \$10 billion increase over the program authority from last year. We did that because the experience in the past had been that when we quarreled with the President about the total figure, invariably there were add-ons at the end when the issue went beyond September 30 into October or November.

Candidly, it was difficult to get the Republican caucus to agree to \$106 billion in the Senate and in the House, but we did that. But in presenting the bill, the conference report, we had some priorities which were somewhat different from those of the President. We had, for example, added \$2.7 billion for the National Institutes of Health because we thought that was a very high priority item. We had also made some changes on the \$2.7 billion which the President had requested for school construction and additional teachers, giving him that money but adding a provision that if the local boards of education wanted to use the money for something else after fulfilling very stringent requirements, that they could use it for local control.

When we sat down to negotiate with the White House, the President and the Democrats in the House upped the ante and asked for an additional \$6 billion. From my way of thinking, that was totally unacceptable because we had provided the \$106 billion which the President had initially requested. After all, it is the congressional prerogative to set the priorities on appropriations. That is spelled out in the Constitution. The President has to sign the bill but we have the lion's share of responsibility, in my view, to establish the priorities.

Those negotiations degenerated—at least in my opinion—until there was an inclination by some in the conference to pay \$114 billion. I refused to be a party to that amount of money because I had fought hard to raise the figure to \$106 billion and I felt there would be no credibility in what I would present as chairman of the subcommittee if I would be a will-o'-the-wisp and raise it to any figure to satisfy the demands of the White House and the House Democrats. There was a tentative agreement of \$114 billion and I declined to sign any conference report which reflected that figure.

Ultimately that arrangement broke down. Now we have come to the point where the negotiations have produced a figure of \$108.9 billion, which is still more than the \$106 billion we had originally projected, but in the spirit of accommodation, trying to finish the business of the Congress, I am prepared to go along with that figure although very reluctantly.

There have been changes in the bill which I find totally unacceptable. The National Institutes of Health has had an increase of \$2.7 billion over fiscal year 2000, which had been in all along, now cut by \$200 million to \$2.5 billion. I believe that the National Institutes of Health is the crown jewel of the Federal Government. It may be the only jewel of the Federal Government. We have added almost \$9 billion to the funding on NIH in the last five cycles. The Senate, in one of the first years under my chairmanship, came in at the